

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 16-10359-GAO

JOHN HORAN,  
Plaintiff,

v.

ANDREA CABRAL, et al.,  
Defendants.

ORDER ON PENDING MOTIONS

October 12, 2016

O'TOOLE, D.J.

This Order resolves certain pending motions.

The plaintiff's Motion for Leave to File an Amended Complaint (dkt. no. 25) is GRANTED. Counsel should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include "Leave to file granted on (date of order)" in the caption of the document.

In light of the allowance of the plaintiff's motion to amend the complaint, the defendants' currently pending motions to dismiss (dkt. nos. 14 and 16) are MOOT.

The motion of defendants NaphCare, Inc. and Dr. James Cheverie to transfer this case for the purpose of conducting a medical malpractice tribunal (dkt. no. 21) is DENIED WITHOUT PREJUDICE. As a matter of case management, the Court will first address the federal constitutional and statutory claims only.

It is SO ORDERED.

/s/ George A. O'Toole, Jr.  
United States District Judge